

AFFIDAVIT

State of Ohio                    )  
  ) ss  
County of Franklin        )

Before me, the undersigned notary, personally appeared John David Freshwater, who having first been duly sworn, deposes and says:

1. Affiant has personal knowledge of all matters set forth in this affidavit;
2. Affiant was interviewed by two investigators hired by the Mount Vernon City School District. According to the contract between the Mount Vernon City School District and the Mount Vernon Education Association affiant understands that Article 4, *Teaching Conditions*, Section 402, *Investigation of Complaints*, states, *The person against whom the complaint is made will be given the opportunity to provide a comprehensive written response to the complaint if he/she chooses to do so.* Even though I have never been a member of any union or the Mount Vernon Education Association, for the first time in my life I now understand I am protected by the union contract.
3. I was asked so many questions by the investigators that I'm glad I can go back and provide more information. When I was asked questions by the investigators I answered the best I could. I recorded my conversation with the interviewers because my attorney told me many times words can get misinterpreted or written wrong. So I taped the interview with a recorder. I've listened to the tape many times after the interview – at least ten times. I do not like the sound of my voice and all the um's and ah's I use when I speak. Each time I listened to the interview recording I thought of more stuff I wanted to add. So I am glad I can write a statement to help explain stuff in case you investigators do not ask me certain questions when we meet again next week on Wednesday on May 28, 2008. Because it is just my nature or habit to answer questions by repeating the question, it is my understanding I am to write and speak as if I were writing a letter or giving a speech to the world to explain things. It is my understanding I am trying to speak and write so that people could not misunderstand what I am saying. I know when I speak I am thinking of a million things and sometimes what I say can be confusing so it is my understanding to think, write and speak with a goal of communicating as clearly as I can.
4. I remember more about the abortion clinic question you asked. During FCA – the leadership meeting on Mondays – I came back into the room after going to the office and was eating my lunch. The leadership group was talking about going to an abortion clinic. They were talking as a group about organizing a trip to an abortion clinic to protest. I got concerned that they were going to go so I told them – whoa – that can get violent – you should wait till you get older. Someone asked if I had been to an abortion clinic and I have so I said yes. We didn't discuss it further. It was like they were checking to see if I knew from experience or was just talking. I didn't care what they thought I didn't want my daughter being responsible for getting a group to go there. Jordie's been to an

abortion clinic and observed with me the protests that take place outside. Like I said I didn't want my child being responsible for getting other students to go because that is a personal family decision not a decision I or my child is going to make for some other student. In that same time period Wes Ellifritz had a debate in his class about abortion. Students were to take sides and the class debated abortion. Wes invited me and some other teachers to sit in and I did. It was interesting to watch the students and their thoughts. Wes put them on one side of the issue or the other and the kids had to be respectful and debate.

FURTHER AFFIANT SAYETH NAUGHT.

  
John Freshwater

The foregoing affidavit was sworn to and acknowledged before me this May 25, 2008, by John Freshwater, who is personally known by me or who provided satisfactory identification and who did swear to the truthfulness of the above.

  
Notary Public



R. KELLY HAMILTON, ATTORNEY AT LAW  
Notary Public  
in and for the State of Ohio  
My Commission Has No Expiration Date  
Section 147.03 R.C.